



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5

In re Patent Application of:)	
)	
J. Donald HILL et al.)	Examiner: To Be Assigned
)	
Serial No.: 09/987,976)	Group Art Unit: 3738
)	
Filed: November 16, 2001)	
)	
For: AUTOMATIC SUTURE FIXATION)	
APPARATUS AND METHOD FOR)	
MINIMALLY INVASIVE CARDIAC)	
SURGERY)	

RESPONSE TO NOTICE TO FILE MISSING
PARTS AND SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the attached Notice to File Missing Parts of Non-Provisional Application (NTFMP) mailed November 29, 2001, by the U.S. Patent and Trademark Office (PTO), Applicants are enclosing payment of the small entity late filing surcharge fee. Applicants also are enclosing an executed declaration and an executed power of attorney for each of the named inventors. Applicants are entitled to and do hereby claim **small entity status**. Applicants are enclosing a check in the amount of \$65 covering the requisite late filing surcharge fee.

SUBMISSION OF FORMAL DRAWINGS

Applicants further are submitting formal drawings of originally filed **Figs. 1-11** in the above-captioned patent application. Applicants maintain that the enclosed formal drawings satisfy the margin requirements as set forth in 37 C.F.R. § 1.84. Therefore, Applicants believe that Applicants' submission of the enclosed formal drawings overcomes the objection to the drawings under 37 C.F.R. § 1.84, as set forth in the attached Notice to File Missing Parts.

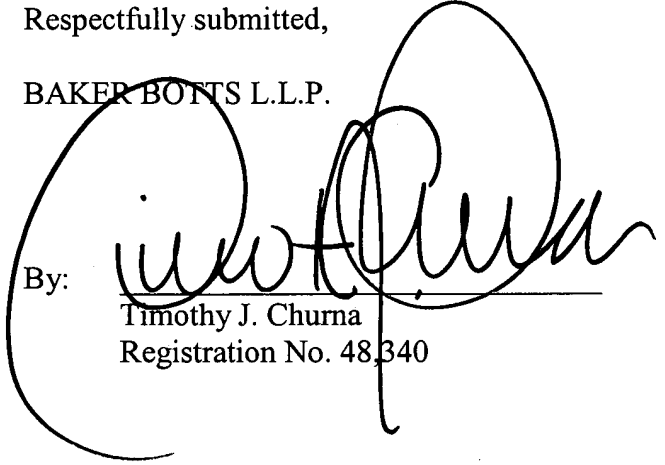
CONCLUSION

Applicants respectfully submit that this application is in condition for allowance, and such disposition is earnestly submitted. In the event of any variance between the fees determined by Applicants and those determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:

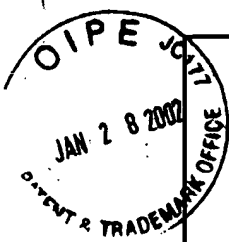

Timothy J. Churna
Registration No. 48,340

Dated: January 28, 2002

Baker Botts L.L.P.
The Warner; Suite 130
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2400
(202) 639-7700 (telephone)
(202) 639-7890 (facsimile)

JBA/TJC/dh

Enclosures



4030

FEE TRANSMITTAL

[BOX PATENT APPLICATION]

Total Amount Of Payment (\$) 65.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to **Deposit Account No. 02-0375** in the name of Baker Botts L.L.P.

☐ Charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to **Deposit Account No. 02-0375**.

2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 02-0375** in the name of Baker Botts L.L.P., The Warner, Suite 1300, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400.

FEE CALCULATION

1. BASIC FILING FEE ☐ Large Entity ☐ Small Entity

	Fee Paid
Utility Filing Fee	\$
Design Filing Fee	\$
Plant Filing Fee	\$
Reissue Filing Fee	\$
Provisional Filing Fee	\$

2. EXTRA CLAIMS FEES

CLAIMS AS AMENDED

For	Number Present	Highest Number Paid For	Extra	Rate		Amount
				Large Entity	Small Entity	
TOTAL CLAIMS		20	0	x \$ 18.00	x \$ 9.00	\$
INDEPENDENT CLAIMS		3	0	x \$ 78.00	x \$ 39.00	\$
MULTIPLE DEPENDENT CLAIMS				\$ 260.00	\$ 130.00	\$
TOTAL EXTRA CLAIMS FEES						\$

SUBMITTED BY

Typed or Printed Name Timothy J. Charnas for James B. Arpin, Reg. No. 33,470

Signature  Date 01/28/02

Complete (if applicable)

Registration No. 48,340

Deposit Account User ID 02-0375

Complete If Known

Application No. 09/987,976 /

Filing Date November 16, 2001

First Named Inventor J. Donald Hill et al.

Examiner Name To be assigned

Group Art Unit 3738

Attorney Docket No. 018880.0120

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Description	Fee Paid
<input checked="" type="checkbox"/> Surcharge - late filing fee or oath	\$ 65.00
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$
<input type="checkbox"/> Extension for reply with _____ month	\$
<input type="checkbox"/> Notice of Appeal	\$
<input type="checkbox"/> Filing Brief in Support of Appeal	\$
<input type="checkbox"/> Request for Oral Hearing	\$
<input type="checkbox"/> Utility Issue Fee (or reissue)	\$
<input type="checkbox"/> Design Issue Fee	\$
<input type="checkbox"/> Plant Issue Fee	\$
<input type="checkbox"/> Petitions to Commissioner	\$
<input type="checkbox"/> Petition to Revive (unavoidable)	\$
<input type="checkbox"/> Petition to Revive (unintentional)	\$
<input type="checkbox"/> Petitions Related to Provisional Applications	\$
<input type="checkbox"/> Submission of Information Disclosure Statement	\$
<input type="checkbox"/> Filing Submission After Final Rejection	\$
<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$
<input type="checkbox"/> Filing Request for Reexamination	\$
<input type="checkbox"/> Other (specify) Advanced Patent Copies	\$